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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Letter dated 15 April 1996 from the Chargé d'affaires, a.i. of the Permanent Mission of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights

I have the honour to transmit*, enclosed herewith, "Comments of the Government of the Federal Republic of Yugoslavia on the report of Ms. Elisabeth Rehn, Special Rapporteur of the Commission on Human Rights on the situation of human rights in the territory of the former Yugoslavia" (E/CN.4/1996/63), and to request you kindly to circulate it as an official document of the fifty-second session of the Commission, under item 10.

(Signed) Miroslav MILOSEVIC
Counsellor
Chargé d'affaires, a.i.

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* The annex is reproduced as received, in the language of submission only.

Annex

COMMENTS OF THE GOVERNMENT OF THE FEDERAL REPUBLIC OF YUGOSLAVIA ON THE REPORT OF MS. ELISABETH REHN, SPECIAL RAPPORTEUR OF THE COMMISSION ON HUMAN RIGHTS, ON THE SITUATION OF HUMAN RIGHTS IN THE TERRITORY OF THE FORMER YUGOSLAVIA

1. The Government of the Federal Republic of Yugoslavia appreciates the efforts made by the Special Rapporteur to personally get acquainted with the situation of human rights in the territory of the former Yugoslavia, as well as her efforts that the conclusions, appraisals and recommendations made, be based on actual facts.

The Government attaches importance to the Special Rapporteur's satisfaction with the openness of and cooperation with the Federal Republic of Yugoslavia, expressed in her Reports. The Government of the Federal Republic of Yugoslavia is willing to continue providing assistance and support to the Special Rapporteur for carrying out the activities of protecting and promoting human rights in compliance with her mandate.

The Government of the Federal Republic of Yugoslavia is expecting that the future activities of the Special Rapporteur, particularly upon the setting up of the field Office in Belgrade, contribute to adequate appraisal of some as yet controversial and insufficiently known issues, since complete knowledge of the situation requires much more time and joint efforts.

With reference to the latest Report of the Special Rapporteur of the United Nations Commission on Human Rights on the state of human rights in the territory of the former Yugoslavia (E/CN.4/1996/63), the Government avails itself of this opportunity to comment some of the findings contained in paras 115-180, covering the situation of human rights in the Federal Republic of Yugoslavia.

2. The statement contained in para 136, whereby the Federal Republic of Yugoslavia has proclaimed itself the unique successor of the Socialist Federal Republic of Yugoslavia, is inaccurate. The position of the Federal Republic of Yugoslavia is that it represents the continuity of the international-legal entity of the Socialist Federal Republic of Yugoslavia, whereas the newly-founded states in that territory have seceded from the SFRY. This ruling has been reiterated on several occasion by the United Nations Office of Legal Affairs (ST/LEG/8).

The issue of the division of assets and debts has been on the Agenda of the Working Group on Succession Issues.

I Freedom of media

3. It is considered that, generally, the statement whereby the Federal Republic of Yugoslavia exercises "strong control" or any kind of monopoly over electronic and printed media (para 123) does not hold. All media in the FR of Yugoslavia are equal and the freedom of the press (media), guaranteed by the Constitution of the FR of Yugoslavia, is based on the Charter of the United Nations and the Universal Declaration of Human Rights. This right, dominated

by the principle of freedom, is restricted by the principle of responsibility. After all, Art. 29 of the Declaration provides that, in the exercise of this right, "(1) Everyone has duties to the community..."; "(2)...everyone shall be subject only to such limitations as are determined by law for the purpose of securing due recognition and respect for the rights and freedoms of others..."; and "(3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations."

4. The statement to the effect that only two laws regulate the media in the FR of Yugoslavia (para 124) is inaccurate. The federal laws regulating the matter are the Law on the Basis of Public Information and the Laws related to the prevention of the abuse of the freedom of the press and foreign information activity in the FR of Yugoslavia. The relevant laws in the Republic of Serbia are the Laws on Public Information and the Law on Radio and Television. No mention is made in the Report of the legal regulation of this matter in the Republic of Montenegro. The Government proposal, referred to in the Report, did not provide for the prevention of foreign support to the media in the FR of Yugoslavia, but for the obligation of the Yugoslav media to provide regular information as to the provider and the amount of foreign (financial) assistance. Accordingly, no prior Government approval was envisaged. The said registration was not to be a special feature of the media situation in the FR of Yugoslavia. Such provisions exist also in other countries and are aimed at preventing the media from becoming interest lobbies and pressure groups. In this context, it is reminded that public relations agencies in the United States, for instance, are obliged to submit to the Ministry of Justice quarterly reports, specifying who their customers are, how much they are paid and whence the payments are made.

5. It is true that Radio-Television Serbia broadcasts nationwide (para 125), but it does not mean that it has monopolized the air. The citizens of the Republic of Serbia could watch information programmes of Radio and Television Montenegro. All citizens of the FR of Yugoslavia could watch foreign television, such as CNN, Sky or Euronews via satellite. There is no law that would prevent a private or public station to broadcast all over the FR of Yugoslavia provided it has enough capital for the venture and fulfils the legal and technical conditions to be given a frequency. It is pointed out that the range of the public station "TV Politika" and the private "BK" television is increasing.

6. Legally, the TV station Studio B was never a private station (para 126). It was established in 1978 by the investment of state capital. The basic misunderstanding of the "problem" is in that the Economic Court, i.e. higher legal instances, including the Constitutional Court, have the final say in a legal case which includes property. The question of the ownership of Studio B is not political but property-related and the goal of the resolution of property relations was to prevent the "sale" of the institution in which the City of Belgrade and the community had invested capital and equipment for almost two decades for a symbolic amount of money (or "fictitious capital"). After all, the litigation over the question of ownership lasted over a year and a half. It is not true that only independent Radio B-92 continues to exist. "Polyphony" is a very distinctive feature of the political and media situation in the FR of Yugoslavia and individuals and groups are very critical of the government and the ruling party. The media which consider themselves

independent of the government are free to operate and some of them do not deny that their editorial policy is influenced by the opposition parties and a number of international factors which also support them materially.

7. The circulation of "Naša Borba" (para 127) is less than 10 000 copies, while the number of unsold copies is very high, which is telling evidence of the influence of this newspaper on the Yugoslav public. In the background of the so-called case of "Borba" was also a legal and property-related dispute: a private entrepreneur wanted to take over the business premises of about 20 000 sq.m. for about DIN 200 000 (loan, cca. $ 40 000), the amount which elsewhere in the world of business acumen would be considered laughable.

8. The concern for human rights and the freedom of the media in the FR of Yugoslavia (para 176, Recommendations) is distorted, i.e the only concern is for the situation of the opposition media and not for the situation of all media.

The fact is that the FR of Yugoslavia strives to improve the legal regulation in the field of public information, primarily because of the legal vacuum that occurred after the secession of the former Yugoslav Republics. It is expected that a new federal law on public information in the FR of Yugoslavia will be adopted this year.

9. Examination of some questions of the situation of the media in the FR of Yugoslavia is made in the Report in the manner which displays insufficient readiness to take into account the detailed comments supplied by the Government of the FR of Yugoslavia in its reply to the separate report of Special Rapporteur Mazowiecki on the media of public information (Section on the FR of Yugoslavia), published in Doc. E/CN.4/1995/54 of 13 December 1994.

II Kosovo and Metohija

10. As to the observations regarding Kosovo and Metohija in the section of the Report entitled "Situation of minorities", the Government points out that there is no discrimination against the ethnic and religious groups in Kosovo and Metohija. This may indeed be a foreigner's impression because of the boycott and non-recognition of the State of Serbia and the non-exercise of the constitutionally guaranteed rights by the majority of the members of the Albanian national minority in Kosovo and Metohija.

11. The remark in para 140 is not accurate, since it provides that "widespread discrimination against particular ethnic and religious groups continues to be reported in the FRY." Such allegations of racial discrimination must be well-documented, and not rendered as flat-rate claims. The same applies to para 142, concerning the situation in Kosovo and Metohija, which reads that the Special Rapporteur has received "contradictory information." Hence, there are no grounds for allegations concerning racial discrimination against minorities in the FRY.

12. The accommodation of the displaced Serbs from Krajina and Bosnia in Kosovo and Metohija does not threaten, nor can it do so, the ethnic composition of the population. This is best evidenced by the fact that only

about 12 000 expellees have been accommodated in Kosovo and Metohija so far, which accounts for less than 1 per cent of the estimated number of the members of the Albanian national minority living in Kosovo and Metohija.

13. The contention that the Albanian minority established a parallel education system in Kosovo and Metohija because of the suspension of the former status of Kosovo as a federal unit is inaccurate. This was done by Albanian secessionist leaders in Kosovo and Metohija, with all forms of assistance from Albania or from within the then Yugoslavia, i.e. from its secessionist Republics. This was an unconstitutional, unlawful and illegal establishment of parallel and parastate organs in Kosovo and Metohija by Albanian separatists, inadmissible by the provisions of the documents of the United Nations, OSCE and the Council of Europe on national minorities and punishable by law in every democratic country. In giving such assessments, the Report would have to state explicitly that the arguments of the so-called Albanian alternative, i.e. separatists, are being reported. According to the Constitutions of the Republic of Serbia and the Federal Republic of Yugoslavia, both Kosovo and Metohija and Vojvodina, are granted the status of autonomous province, which is in accordance with their constitutional treatment in the post-World War Two constitutional arrangements of the former Yugoslavia. Accordingly, the autonomies of Kosovo and Metohija and Vojvodina have not been suspended; they are guaranteed also by the present Constitutions of the Republic of Serbia and the Federal Republic of Yugoslavia, while the Albanian separatists continue to put out illegitimate and unfounded requests for the recognition of the status of Republic (federal unit) to Kosovo and Metohija, which they perceive as only a transitional period to the secession from the FR of Yugoslavia. They do not even hide this goal of theirs which is inadmissible by international law, United Nations Charter, Helsinki Charter and other documents of the OSCE or the Council of Europe.

Speaking of the so-called parallel administrative system set up by the members of the Albanian national minority as a counterweight to legal authorities, it should be pointed out that that system hardly functions in any segment, except in tax collection (otherwise very reminiscent of racketeering) and in the field of education.

14. According to the Constitution, elementary education is compulsory. This is why, among other things, the State has countenanced the use of school premises, teaching aids and inventory by Albanian teachers and children, although, in Yugoslavia, these children are taught according to unrecognized curricula. Accordingly, the contention of the Special Rapporteur that "the rejection by the Albanian population of the Government's decision to apply a uniform education system and curriculum have resulted in the summary dismissal of a large number of schoolteachers" should be explained that unauthorized changing of the official curricula is an unlawful act, aimed at undermining the uniform system of the country by the introduction of an illegal parallel education and that, as such, it is contrary to the provisions of the United Nations, OSCE and the Council of Europe related to national minorities and punishable by law in every democratic country. The sole responsibility for the short- and long-term consequences of this act for the Albanian children and their education lies on the political protagonists of these unlawful and unconstitutional acts.

Secondary and high education within the parallel system is organized illegally in private homes, except in ethnically pure communities where elementary and secondary school premises are used. By and large, the conditions in private homes are substandard, while the data on the quality and professional qualifications of teachers are unavailable.

There is no knowledge of any intimidation of Albanian children when not on school premises.

15. The information that the members of the Albanian national minority boycott medical services calls for additional explanation. According to the data of the Hospital Centre in Priština, even 90 per cent of their patients and more than 50 per cent of the medical staff, including nurses and doctors, belong to the Albanian national minority. The alleged poisoning incident, referred to in the Report, was the execution of a pre-planned scenario in the presence of television cameras and ambulances, which just "happened to be on the spot". To make the "poisoning" even more convincing, it "affected" only the Albanian and not the Serbian children, although the children were ferried directly from schools of a mixed ethnic composition. For the purpose of explanation, it should be added that this incident was staged at the time when the members of the Albanian national minority wielded almost exclusive power in Kosovo and Metohija and when the medical staff in Kosovo and Metohija hospitals was over 90 per cent Albanian. Also, the "poisoning" incident was not related to the vaccination programme at all, but was just another of the farcical inscenations, aimed at internationalizing the question of Kosovo and Metohija. It is our view that, after so many years, there is no need to mention this "incident" which was, otherwise, unmasked as a farce, the essence and background of which were explained, among others, within the United Nations at the session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities sitting at the time of the "happening" of the incident in Geneva.

The mortality rate of children has increased, but in the estimation of the state hospital in Priština, the root cause of the situation are the sanctions, i.e. the weakening of the immunity of the population, and general deterioration of medical services, which was dramatically felt throughout Yugoslavia during the period of sanctions. Besides, there are frequent cases that, following unprofessional interventions in private Albanian surgeries, pregnant Albanian women are brought to the state hospital in Priština in critical conditions which sometimes end tragically.

16. As to the allegation of the abuse of power and authority by officials of the Ministry of the Interior (para 147), the following data are supplied for the Republic of Serbia for 1993 and 1994:

- no criminal procedure has been instituted for the criminal act of illegal arrest under Article 189, paras 2 and 3 of the Penal Code of the FR of Yugoslavia and for the criminal act of the abuse of power and authority under Article 191 of the Penal Code of the FR of Yugoslavia.

- one criminal procedure has been instituted for the criminal act of extortion of confession under Article 190 of the Penal Code of the FR of Yugoslavia;

- one criminal procedure has been instituted for the criminal act of extortion of confession under Article 65 of the Criminal Law of the Republic of Serbia;

- two criminal procedures have been instituted for the criminal act of sexual harassment or carnal acts by the abuse of power and authority under Article 107 of the Criminal Law of the Republic of Serbia;

- 18 criminal procedures have been instituted for the criminal act of illegal arrest under Article 63, paras 3, 4 and 5 of the Criminal Law of the Republic of Serbia, and

- 128 criminal procedures have been instituted for the criminal act of maltreatment committed in the performance of one's duties under Article 66 of the Criminal Law of the Republic of Serbia.

Almost all instituted criminal procedures have been concluded before the first instance courts, but in respect to legal remedy they are presently conducted before the second instance courts.

17. According to the information of the competent judicial and police authorities in Kosovo and Metohija related to the recent cases of alleged arrest and torture of the members of the Albanian national minority (e.g. cases alleged in the joint letter of L. Joinet, Chairman of the Working Group on Arbitrary Arrests, N.S. Rodley, Special Rapporteur of the United Nations Commission on Human Rights for the Question of Torture and E. Rehn of 22 March 1996 to the Federal Minister for Foreign Affairs of the FR of Yugoslavia, M. Milutinovic), no criminal proceedings have been instituted against the persons mentioned in the letter nor are they detained in any district prison. Also, the said persons have filed no criminal report against the officials of the Ministry of the Interior because of alleged torture or injuries.

This, and some previous cases are indicative of a smear campaign, aimed at vilifying the FR of Yugoslavia in the media and within the United Nations Commission on Human Rights and calculated at bringing additional pressure to bear on it. Also, it is noticeable that the said persons approach international institutions, reporting alleged arrests and torture without providing valid evidence, even before they have approached the constitutional and legal authorities in their own country or resorted to legal remedies provided for the situations. More often than not, these acts are political demonstrations.

18. The general situation in Kosovo and Metohija is better than it used to be in previous years. The animosity between various ethnic groups has subsided and an ever greater number of ethnic Albanians return to work and approach government agencies to regulate their rights and obligations. The situation is different with respect to political parties as the option of "independent Kosovo" among Albanian "alternative" politicians, i.e. its secession from the FR of Yugoslavia, continues to be the order of the day. Nonetheless, the inclusion of the members of the Albanian national minority in the social and political life of the Autonomous Province of Kosovo and

Metohija is on the rise, which the Government of the FR of Yugoslavia welcomes and encourages as being in the interest of all, both in Kosovo and Metohija and the FR of Yugoslavia.

The position of the international community that borders cannot be changed is very explicit and excludes the option of the so-called independent Kosovo, insisted upon by Albanian separatists in Kosovo and Metohija. The Governments of the Republic of Serbia and the FR of Yugoslavia do not intend to change the present constitutional status of the Autonomous Provinces of Kosovo and Metohija and Vojvodina. Despite the Albanian language media cover-up, the fact has reached the members of the Albanian national minority who are increasingly displaying their dissatisfaction with the political leaders of separatist parties as they realize that they have been deceived and that various promises of the so-called independent Kosovo have been a great illusion.

Businessmen are probably the most cooperative segment of the population of the Albanian national minority, particularly in view of the fact that over 95 per cent of the Kosovo and Metohija private capital is in the hands of the Albanians mainly as a result of the transition to market economy. This has accounted for the establishment of business and other contacts on an increasing scale and the possibility of future coexistence is voiced ever more frequently.

19. As to the observations of the Special Rapporteur in the conclusions and recommendations related to the media situation in Kosovo and Metohija it is pointed out that 25 papers and magazines are currently published in the Albanian language. All these papers are free from any type of Government control or influence.

This is best evidenced by the fact that none of these magazines has been banned since 1990, although the vast majority of their articles have an extremely hostile attitude towards everything Serbian and Yugoslav and encourage separatism.

The Government of the FR of Yugoslavia ensures full implementation of the constitutional provision of the right to express ethnic culture, language and religion in Kosovo and Metohija, Vojvodina and the Raška region. Accordingly, the concern over this question presented in one of the conclusions is unfounded.

However, in order that this and other constitutional provisions be implemented consistently, it is necessary for the members of the Albanian national minority in Kosovo and Metohija to respect the Constitutions of the Republic of Serbia and the FR of Yugoslavia in full.

20. The statement of the Special Rapporteur that it is necessary to establish dialogue between the authorities and the representatives of the minorities should also point to the readiness of the FR of Yugoslavia to engage in such dialogue and of the numerous calls that the FR of Yugoslavia has continually made to the leaders of the political parties of the Albanian national minority in Kosovo and Metohija. For, it is exactly these leaders who have turned a deaf ear to all these calls so that the Special Rapporteur, as

well as the international community, should state this unequivocally and direct their pressure for the establishment of dialogue to the Albanian political leaders in Kosovo and Metohija.

III Raška Region

21. In this and other sections of the Report, the Special Rapporteur uses some unconstitutional names (Kosovo is used instead of Kosovo and Metohija), as well as administrative units non-existent in the FR of Yugoslavia (Sandžak), as has been the case in other previous reports. The correct name for the area is "Raska Region" and not "Sandjak", which is a Turkish word meaning "region". It is reiterated once again that the territorial units in the Republic of Serbia and their names have been determined by the Constitution of the Republic of Serbia: Republic of Serbia, Autonomous Province of Kosovo and Metohija, Autonomous Province of Vojvodina and municipalities. Serbia is divided by a separate decree into 29 districts. This remark and information of the Government of the FR of Yugoslavia have been presented, like many others, on many occasions in its comments to the previous reports of the Special Rapporteur for the Former Yugoslavia and are contained, inter alia, also in Doc. A/49/273, S/1994/864 of 22 July 1994. Therefore, the statement in this section to the effect that "Sandžak" is administratively divided between Serbia and Montenegro is contrary to the Constitution of the FR of Yugoslavia and the constitutions of its constituent Republics.

The statement that this region is divided into Serb-majority electorial districts is also inaccurate. Electorial districts are established for certain territory and their establishment is unrelated to national composition.

22. The percentage of Serb and Muslim population in the municipalities of the Raska region differs from municipality to municipality; therefore the data given in the report concerning the percentage ratio between the Muslims and the Serbs is irrelevant, to say the least. According to the latest official reports of the competent organs, the public order and peace situation in the municipalities of Novi Pazar and Tutin is exceptionally stable, thus denying the allegations of harassment against the Moslim population. In the last couple of years there has been no case of disturbance of public order and peace.

The allegation that property owned by the expelled Muslim population has been appropriated by Serb authorities is also false.

As far as the conscripts are concerned, it has been noticed that, after the refusal of the Muslims to serve in the army in 1991, a great number of them expressed their wish last year to serve in the army on a voluntary basis. The number of those who reported voluntarily to serve in the army is so big that the military centres cannot accept them all.

23. Furthermore, it should be also noted that no murder case on national basis was registered in the municipalities of Novi Pazar and Tutin in the last five years.

Ten political parties operate in the municipalities of this part of Serbia whose members are both Serbs and Muslims.

A number of citizens, Serbs and Muslims, have been tried for illegal possession and sale of weapons. In 1994 the police organs impounded 2 500 long barrel weapons (machine guns, automatic rifles), about 600 mines, tens of kilograms of explosive and other military equipment from para-military Muslim organizations. About 250 men from this region have been trained in Turkey for subversive and terrorist activities, including 150 persons from Novi Pazar. Some of them have been arrested and dispossessed of weapons, but they have not been maltreated.

No case of abuse has been recorded. No appeal has been lodged to the competent authorities against abuse and maltreatment.

Judicial protection of the constitutional freedoms and rights is recognized and guaranteed. Courts carry out their functions as envisaged and 90 per cent of their personnel are Muslims.

In the municipalities of Novi Pazar and Tutin, the Muslims hold the posts of the Vice-President of the Municipal Assembly and the President of the Executive Committee of the Municipal Assembly (Municipality of Novi Pazar) and the post of the Vice-President of the Municipal Assembly and the President of the Executive Committee of the Municipal Assembly (Municipality of Tutin). The situation is similar in other municipalities.

Almost 90 per cent of company directors in these municipalities are of Muslim nationality, while over 90 per cent of private companies and shops are founded and owned by Muslims.

In many cases Muslim families have provided shelter in their homes to the Serb refugees expelled from Croatia and Bosna-Hercegovina, while Serb families received refugees of other nationalities.

Finally, the competent authorities in some municipalities of the Raška region that have been informed of this part of the Report of the Special Rapporteur and requested to provide explanation, have noted with regret that this part of the Report is full of misinformation, used also in the past for the purpose of misinforming some international fora or representatives. Such misinformation is churned by some Muslim extremists of the Party of Democratic Action of Novi Pazar, who are connected with Islamic fundamentalists and who have been "educated" in Tuzla and other towns of the present Muslim-Croatian Federation.

24. The announcement in the Report (para 161) that during her forthcoming visit to the FR of Yugoslavia, the Special Rapporteur will address "the human rights violations against the Bulgarian minority in the eastern area of Serbia" is most surprising. It is expected that, before addressing such cases in the Report (advance allegations of the "human rights violations" have already be made), the Special Rapporteur approach also the official authorities of the FR of Yugoslavia for relevant information and replies concerning concrete allegations.

Illustrative in this context is the recent statement of the member of the Bulgarian minority in the FR of Yugoslavia from Dimitrovgrad and the President of the Municipal Committee of the Socialist Party of Serbia, Mr. D. Kolev, to

the effect that "in the Municipal Assembly out of 33 councillors, 32 of them are members of the Bulgarian minority. Out of seven members of the Executive Committee, five are members of the Bulgarian minority. In the Municipal Court out of four judges only one is not a member of the Bulgarian minority. In the elementary school out of 104 teachers, 97 of them are Bulgarians, while in the grammar school out of 39 professors only four of them are not members of the Bulgarian minority. In the economic sector this proportion is even more evident: out of nine directors, eight of them are members of the Bulgarian minority. Education is organized also in the languages of national minorities."

IV Vojvodina

25. This part of the Report renders most accurate statistical data on the composition of the Vojvodina population, which sustained substantial changes throughout history.

The heterogeneous configuration of the Vojvodina population has been preserved to the present times and, as stated in the Report, this diversity is being fully respected under the 1992 Constitution of the Federal Republic of Yugoslavia, with guarantees envisaged for minority rights in the field of culture, education and language.

Notwithstanding this, however, the Report contains allegations that the Hungarian and Croat minorities "have expressed concern" about the effective implementation of their rights. A large number of data and facts, some of which follow, point to the actual situation - that these minorities, as well as all the others, have no reason for any concern.

26. As far as the Hungarian minority and its rights to education are concerned, the following are some of the most characteristic facts and figures:

In compulsory elementary education establishments, teaching in Hungarian is conducted in 29 communes, in 84 elementary schools and in 34 separate classes, attended by 23,73 per cent of students. The share of teaching in the Hungarian language for the total elementary school population (210 505 pupils), is 11,33 %. Out of the total number of Hungarian pupils (28 629), in the academic year 1994-95, classes conducted in the Hungarian language were attended by 22 901 pupils, i.e. 79,99 per cent.

Most precise data are available concerning adult and retarded students' education, as well as elementary musical school education.

In high schools, teaching in Hungarian is conducted in 13 communes - in 7 grammar schools and 20 vocational training schools. In the academic year 1994/95, teaching in Hungarian was conducted in 27 high schools with 261 classes, for 6 662 students.

Under the respective College and University Education Laws, teaching may be conducted in national minority languages.

In the 1994-95 academic year, 4 688 students attended colleges, with the share of ethnic Hungarian students amounting to 13,08 per cent. At the Teacher Training College in Subotica, 131 ethnic Hungarian students were taught in the Hungarian language. At the Engineering College in Subotica, teaching at all departments is conducted in the Hungarian language for the 231 ethnic Hungarian students.

Out of the total of ethnic Hungarian college students (613), 373 students (60.85 per cent) receive education in their mother tongue.

Higher education is conducted at the 13 faculties of the Novi Sad University. In the 1994/95 academic year, the University was attended by 20 248 students, out of whom 6,73 % were ethnic Hungarians.

Teaching in the Hungarian language is conducted at the Faculty of Economics in Subotica (with 110 ethnic Hungarian students) and at the Academy of Arts (13); at the Faculty of the Humanities - Department for the Hungarian Language and Literature (with 165 students), Department for the English Language and Literature (with classes and seminars conducted for ethnic Hungarian students as well), and Department of History.

Out of the total number of ethnic Hungarian University students (1363), 21.79 per cent attend classes in the Hungarian language.

These data, along with others, explicitly substantiate the fact that there is no discrimination against the ethnic Hungarian minority students in the educational field in the Autonomous Province of Vojvodina; on the contrary, there are all conditions for the further development of their body national.

27. The same applies to the culture, information and publishing fields. There is not a single reason for expressing "fears that Hungarian historical names might be permanently lost".

The following facts and figures also are in support of this assertion:

A substantial number of national minorities' artistic ensembles and associations are active in the multi-national milieux of the Autonomous Province of Vojvodina as a reflection of democratic relations and constitutionally guaranteed rights of citizens to free organization, aimed at free expression of national affiliation, of culture and the use of mother tongue and alphabet.

There is also a long-standing tradition of enlarging book holdings in the Hungarian language, and the libraries in all the cities settled by the ethnic Hungarian minority (Subotica, Senta, Kanjiza, Becej, Zrenjanin, etc.), possess such book holdings in the Hungarian language.

Two professional theatres in the Autonomous Province of Vojvodina perform in the Hungarian language: in Novi Sad ("The Novi Sad Theatre" - Ujvideki Sinhasz) and Subotica ("National Theatre" - Nepsinhasz"). Children's theatres in Subotica, Novi Sad and Zrenjanin perform in Serbian and/or Hungarian languages.

Folklore music activities are also being promoted. Over 420 culture/artistic ensembles are active in Vojvodina, with over 100 of them oriented primarily to fostering the Hungarian national tradition.

28. The ethnic Croatian minority in Vojvodina also exercises diverse rights aimed at fostering its national and cultural identity, along with other citizens of the Federal Republic of Yugoslavia.

The Democratic League of Vojvodina Croats is a political organization acting in the Autonomous Province of Vojvodina.

At local authorities' elections in Vojvodina, this party won ten seats at the Communal Assembly of Subotica, and one seat in Sombor and Sremski Karlovci respectively. At one time, the Democratic League of the Vojvodina Croats won one seat at the Vojvodina Provincial Assembly.

Various organizations and institutions of Croats have been founded and are active in the AP of Vojvodina - the Bujnevacko kolo Croatian Culture Center, in Subotica, the "Matija Gubec" Croatian Culture-Educational Company in Subotica and Ruma, the "Vladimir Nazor" culture and artistic company in Sombor, etc.

The Democratic League of Vojvodina Croats issues a gazette, the Voice of the Plain, registered with the Subotica authorities in 1991. It is a fortnightly, and it furnishes the members of the DLVC information on the activities and actions of this organization.

29. The issue of refugees is mentioned in this section of the Report, with concern expressed that the settlement of large number of refugees might result in a change of the ethnic composition and balance in some communes of Vojvodina. Their settlement in Vojvodina is not and can not be the cause for such concerns.

It is true that large numbers of refugees have settled in Vojvodina, particularly so in the aftermath of the large-scale Serb people exodus from Western Slavonia (May 1995), and from Serbian Krajina (August 1995). There are several reasons for their settlement in Vojvodina - historical, economic and ethical in nature.

By its comprehensively pursued policy and efforts aimed at achieving peace and normal living conditions for all in the former Yugoslavia, the FRY is giving its contribution to solving the issues mentioned in this part of the Report. It is well-known that Yugoslavia is making utmost efforts aimed at providing conditions for all those who wish so, to return to their ancestral homes. But, their return depends mostly on the states from which they were evicted, and on the willingness of the international community to make their dignified and safe return possible by providing political and material vehicles for it. Hence, the Government of the FRY fully supports the recommendation made by the Special Rapporteur, contained in para 179. The FRY is not only "allowing", but it is making utmost efforts that the refugees return to their homes "of their free will and with dignity". At the same time,

it is willing to help in every way to those who decide to remain in the FRY. It must be noted though that Yugoslavia needs most concrete assistance of the international community for implementing any of these two options.

CONCLUSIONS AND RECOMMENDATIONS
(paragraphs 163-180)

The assessment whereby the human rights situation in the Federal Republic of Yugoslavia "remains a serious concern" (para 162) is not grounded. It would have been more to the point and more pertinent if indications were given that the situation is calling for measures of further monitoring and improvement. All the Conclusions and Recommendations would be covered by such an appraisal, since the human rights situation in the FRY is similar to and comparable with the situation prevailing generally in almost all the countries which endeavour to pursue appropriate policies in the human rights field.

April, 1996